

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HARRY SMITH, JR., and ROSLYN )  
WOODARD SMITH, individually and as )  
Administrators of the ESTATE OF HARRY )  
SMITH, III )

Plaintiffs, )

v. )

CITY OF WILMINGTON, JOHN )  
CIRITELLA, THOMAS DEMPSEY and )  
MATTHEW KURTEN, )

Defendants. )

C.A. No. 04-1254-GMS

**JURY TRIAL DEMANDED**

**ORDER**

WHEREAS, the plaintiffs having sought a modification of certain deadlines in the Scheduling Order entered in this case, and

WHEREAS, the defendants having consented to plaintiffs' request, and

WHEREAS, it appearing to the Court that the requested modification to the scheduling order will not delay resolution of this matter.

It is hereby ORDERED that paragraph 2 of this Court's October 3, 2005 Scheduling Order is modified to provide as follows:

2. **Discovery.** All fact discovery in this case shall be initiated so that it will be completed on or before **June 9, 2006**. Expert discovery in this case shall be initiated so that it will be completed on or before **July 31, 2006**. Expert reports shall be served on or before **June 30, 2006**, and rebuttal expert reports shall be served

on or before **July 31, 2006**. Expert depositions shall be completed  
by **September 15, 2006**.

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United States District Judge